C.S. 1005 - 03 Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. No. 693 /2005

PETITIONER : **RITESH KUMAR DUBEY**, S/o Shri Deo Dutt Dubey, Aged about 21 years, R/o. Village- Amora (Amanara), Block- Akaltara, Tehsil & District- Janjgir-Champa (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through : The Secretary Panchayat & Rural Development Department Mantralaya, D.K.S. Bhawan, Raipur.
2. The Collector, Janjgir, District- Janjgir-Champa (C.G.).
3. The Sub Divisional Officer, Janjgir, District- Janjgir- Champa (C.G.).
4. The Chief Executive Officer, Janpad Panchayat- Akalara, District- Janjgir-Champa (C.G.).
5. District Education Officer, Janjgir, District- Janjgir-Chamapa (C.G.).
6. Block Education Officer, Akaltara, District- Janjgir-Champa (C.G.).
7. The Headmaster, Primary School- Amanara (Amora), District- Janjgir-Champa (C.G.).
8. The Sarpanch Gram Panchayat- Amora, Block- Akaltara, District- Janjgir-Champa (C.G.).
9. Uttara Kumar Sahu S/o Laxmi Parasad. Residence of Village- Amora, Block- Akaltara, District- Janjgir-Champa (C.G.).

P.R. No. 690/05 Presented by Shri P-15 dated 21/12/05

RECEIVED COPY 21.12.05 CLERK TO G.P. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

The above named petitioner respectfully beg to submit as under:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 693/2005 **/सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14.03.2005

Shri P.K. Patel, counsel for the petitioner.

Shri U.N.S. Deo, Govt. Advocate for the State/respondents No. 1 to 7 on advance copy.

Heard.

The main contention of learned counsel for the petitioner is that respondent No. 8 has illegally appointed respondent No. 9 as *Samvida Shiksha Karmi*, Grade-III in primary school Amanara, Gram Panchayat Amora, Block-Akaltara, District-Janjgir-Champa (C.G.). Learned counsel for the petitioner submits that the petitioner was firstly appointed on the said post and his earlier appointment was cancelled on a complaint made by respondent No. 9 itself. He also submits that about the said matter, he has filed a writ petition bearing W.P. No. 3798/2004 which is pending before this Court. Now the main grievance is that during the pendency of the said petition, respondent No. 9 has been appointed by the Sarpanch/respondent No.8 which is quite unjustified. Learned counsel further submits that

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.693/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

a representation in this regard has also been filed as Annexure-P/1.

I have perused the records of the case.

The writ petition of such a dispute cannot be entertained by this Court particularly in the circumstance when the petition in relation to cancellation of appointment of the petitioner is pending before this Court. If the petitioner succeeds in that petition, the result of same will be followed and if any appointment is made in between that period, that will automatically be subject to decision of the earlier petition. I am not inclined to entertain this petition at this stage.

With the aforesaid observations, the petition stands dismissed.

Sd/-
Sunil Kumar Sinha
Judge